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D. REMARKS

Claims 1-4, 7-10, 13-16, 19-24 remain pending. Claims 10 and 24 have been amended herein.

The examiner has rejected claims 10, 13, 14 and 24 under 35 USC 101. The claims have been amended to claim a "tangible computer usable medium." Applicants submit that the examiner's rejection is overcome with this amendment.

The examiner has rejected claims 1-4, 7-8, 10, 13-16 and 19-20 under 35 USC 103(a) as being unpatentable over Olah et al. (hereinafter "Olah" US 6,445,119 B1) in view of Pavley et al. (hereinafter "Pavley", US 6,317,141 B1). Olah teaches saving screen captures to a log. Olah is not storing actual multimedia objects, but merely a screen capture of an instance in time of what is being displayed. The examiner states that the "screen images are the multimedia objects." Applicants beg to differ. The screen captures that are saved in Olah are static and have only one media – static images/text; i.e., no sound, no video. Olah, column 4, line 34 specifically equates the screen images to merely a "graphical record." Furthermore, nowhere does Olah state that the screen image contains at least one transient message, as claimed by Applicants' claimed invention. Therefore, Olah is not relevant art and does not teach Applicants' claimed invention.

The examiner relies on Pavley for creating a slide show for the captured screen images. Pavley discloses using a presentation program such as Microsoft Powerpoint to which images and video may be imported. A combination of Olah and Pavley would result in a Powerpoint presentation of captured screen images and not in Applicants' claimed

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invention of "displaying a chronological list (where the chronological list is made from storing a plurality of multimedia objects each containing at least one transient message) with control button for subsequently rendering the stored multimedia objects in a forward and backward succession." As such, neither Olah nor Pavley, alone or in combination, teach or suggest each and every claim limitation of Applicants' claimed invention, and therefore Applicants' claimed invention is not obvious.

The examiner has rejected claim 9 under 35 USC 103(a) as being unpatentable over Olah et al., in view of Pavley et al., and Bretschneider et al. Bretschneider merely discloses that "a slide presentation can also be made available on a large network, such as the Internet, that allows individuals to download the slide presentations and perform slide shows on their local computers." This does not teach or suggest applicants' claimed invention of "sending ... a multimedia object (which is stored at a server) and a corresponding software unit to enable the multimedia object to be played... in response to a selection of a replay button sent from the server...". Bretschneider shows that the slide presentation, i.e., the data, is downloaded, and not the PowerPoint application which would be needed at the client to run the slide show. Regardless of what one interprets the few words at column 1, lines 61-65 teach or not teach, Bretschneider does not teach or suggest that "slide presentations" are sent in response to selection of a replay button sent from the server. As such, the combination of references still does not teach or suggest each and every element of Applicants' claimed invention.

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Neither Olah, nor Pavley, nor Bretschneider, alone or in combination, nor any other art known to Applicants displays a replay button for selection at the client in an area of a document allocated to the multimedia object, and in response to the selection of the replay button, to download the next sequential multimedia object from the chronological list stored at the server along with a software unit to play it. Applicants admit that it is known to download a multimedia object along with a software unit in response to a selection of a link associated with the multimedia object. But in Applicant's claimed invention, the object comes from the chronological list that was stored at the server and in response to a replay button displayed at the client. Furthermore, in Applicants' claimed invention, a replay button is selected to initiate the downloading and replaying, and not the selection of a link for a specific object. Thus, claim 9 is also not taught or suggested by the art for reasons in addition to the reasons given above for the independent claims.

The examiner has rejected claims 21-24 under 35 USC 103(a) as being unpatentable over Engle et al. (hereinafter "Engle" Pub No US 2004/0024640A1 in view of More et al (hereinafter "Moore" Pub No 2001/0039546 A1) and further in view of Pavley et al (hereinafter "Pavley" US 6317141 B1). The examiner uses Engle to show identifying a region associated with a transient message and clipping the region. But Engle does not disclose storing each transient message when each message is initially rendered. So the examiner uses Moore to show this. But neither Moore nor Engle show that the storing is done in a chronological list. So the examiner uses Pavley to show displaying a chronological list with control buttons.

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The examiner states that reconstruction based upon hindsight is proper as long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from Applicants' disclosure. Applicants' submit that the examiner's combination of references is improper because the examiner did indeed include knowledge gleaned only from Applicant's disclosure in order to combine the references since the motivation to combine the references can not be found within the references themselves.

Regardless, the combination still fails to show storing in a chronological list, *independently of a user action*, multimedia objects (and not static screen captures) having transient messages, at the time they were rendered, along with other features discussed above in other claims. The examiner has clearly created interpretations of the references by using Applicant's disclosure as a blueprint.

Since the examiner has clearly used Applicants' claimed invention as a blueprint, and since the combination of references still fails to teach or suggest all of the claimed limitations, the examiner has not met his burden of making a per se obviousness determination. As such, Applicants' claimed invention is not obvious.

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims are respectfully requested. If the Examiner feels that the pending

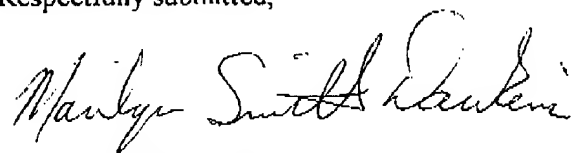
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claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

Respectfully submitted,



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